

048928/21061/TPD/BSS

U.S. DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ILLINOIS, EAST ST. LOUIS DIVISION

JEFF MCGRAW, #Y38458,

Plaintiff,

v.

MARY PEEKS, A. DAVID, WARDEN  
MITCHELL, and WEXFORD HEALTH  
SOURCES,

Defendants.

Case Number 3:21-cv-00800-SMY

Judge Staci M. Yandle

**RULE 26 INITIAL DISCLOSURES**

COMES NOW Defendant, WEXFORD HEALTH SOURCES, INC., ALFONSO DAVID, and MARY PEEKS, by and through their attorneys, CASSIDAY SCHADE LLP, pursuant to this Court's Order dated October 19, 2021, and for its Rule 26(a)(1)(A) Initial Disclosures, state as follows:

1. Incident Reports;

**RESPONSE: Defendant is not in possession of any incident reports other than those which may appear in the following exhibits:**

- a. **Grievance Materials obtained via subpoena from the Administrative Review Board at MCGRAW ARB 0001-0059;**
- b. **Grievance Materials obtained via subpoena from Pontiac Correctional Center at MCGRAW PCC (GR) 0001-0091;**
- c. **Grievance Materials obtained via subpoena from Shawnee Correctional Center at MCGRAW SCC (GR) 0001-0058;**
- d. **Cumulative Counseling Summary from Shawnee Correctional Center, at MCGRAW SCC (CR) 0001-0025;**
- e. **Cumulative Counseling Summary obtained via subpoena from Pontiac Correctional Center at MCGRAW PCC (CR) 0001-0025;**

f. Disciplinary records obtained via subpoena from Shawnee Correctional Center at MCGRAW SCC (DR) 0001;

g. Disciplinary records obtained via subpoena from Pontiac Correctional Center at MCGRAW PCC (DR) 0001.

2. Grievances, along with any responses or other related materials, such as grievance logs and counselor's notes;

**RESPONSE: None other than those that may be found in documents attached as responses to Paragraphs A(1) through A(4).**

3. Disciplinary tickets, along with any documents related to the resolution of the tickets;

**RESPONSE: None other than those that may be found in documents attached as responses to Paragraphs A(1) through A(4).**

4. Plaintiff's cumulative counseling summary or other log of interactions with staff during the relevant time;

**RESPONSE: Defendant is producing the Cumulative Counseling Summaries received in response to a subpoenas directed to Shawnee Correctional Center and Pontiac Correctional Center at:**

a. Cumulative Counseling Summary from Shawnee Correctional Center, at MCGRAW SCC (CR) 0001-0025;

b. Cumulative Counseling Summary obtained via subpoena from Pontiac Correctional Center at MCGRAW PCC (CR) 0001-0025.

5. Reports and/or statements of persons with knowledge of the incidents;

**RESPONSE: Defendant refers Plaintiff to those statements or reports that may be found in the Complaint and in documents attached as responses to Paragraphs A(1) through A(4). In addition to the documents being produced by Defendant identified above, Defendant is producing the following documents obtained via subpoenas to Shawnee Correctional Center and Pontiac Correctional Center:**

- Trust fund and Commissary records from Shawnee Correctional Center, at MCGRAW SCC (BR) 0001-0022;
- Trust fund and Commissary records from Pontiac Correctional Center, at MCGRAW PCC (BR) 0001-0012;
- Inmate Movement Records from Shawnee Correctional Center, at MCGRAW SCC (IM) 0001;

- **Inmate Movement Records from Pontiac Correctional Center, at MCGRAW PCC (IM) 0001;**
  - **Orientation Records from Shawnee Correctional Center, at MCGRAW SCC (OR) 0001-0044;**
  - **Orientation Records from Pontiac Correctional Center, at MCGRAW PCC (OR) 0001-0065.**
6. Names of persons with knowledge of the incidents and a short description of the subject of their knowledge, to the extent this information is not included in the documents produced to Plaintiff;

**RESPONSE:**

- a) **Plaintiff Jeff McGraw, # Y38458.** Plaintiff is anticipated to have knowledge related to his claims in this case.
  - b) **Defendant Alfonso David.** Alfonso David has knowledge on topics including his background, his practices as a physician, the events that he observed related to Plaintiff's allegations, and his interactions with the Plaintiff.
  - c) **Defendant Mary Peeks.** Mary Peeks has knowledge on topics including her background, her practices as a nurse, the events that she observed related to Plaintiff's allegations, and her interactions with the Plaintiff.
  - d) Each other individual named as a defendant in Plaintiff's Complaint. Defendants are anticipated to have knowledge regarding their backgrounds, their work practices, and the facts they observed related to the claims in this case.
  - e) Records custodians at Shawnee Correctional Center, Pontiac Correctional Center, and the Administrative Review Board. The Records custodians may have knowledge of the facilities' records, and how they are kept in the ordinary course of business.
  - f) Any and all medical providers Plaintiff presented to on or around the date of the alleged incident. These individuals may have knowledge of the claims in this matter and may testify to Plaintiff's allegations.
7. Copies of relevant medical records.

**RESPONSE: Defendant is producing the following documents obtained via subpoena to Pontiac Correctional Center:**

- **Medical Records, at MCGRAW PCC (MR) 0001-0549.**

Respectfully submitted,

CASSIDAY SCHADE LLP

By: /s/ Brent S. Scott

One of the Attorneys for Defendant,  
WEXFORD HEALTH SOURCES, INC.,  
ALFONSO DAVID, and MARY PEEKS

Brent S. Scott  
ARDC No. 6331521/ MO Bar 71164  
CASSIDAY SCHADE LLP  
100 North Broadway, Suite 1580  
St. Louis, MO 63102  
(314) 241-1377  
(314) 241-1320 (Fax)  
bscott@cassiday.com

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Rule 26 Initial Disclosures was served via electronic mail upon the following attorneys of record by sending the same their e-mail address of records before 5:00 p.m., on November 1, 2021:

R. Levi Carwile  
Assistant Attorney General  
201 West Pointe Dr. Suite 7  
Swansea IL 62226  
(618) 236-8782  
Robert.carwile@ilag.gov

and via regular mail upon the following attorneys of record and pro se parties by depositing the same in the U.S. mail located in St. Louis, Missouri, with proper postage prepaid, before the hour of 5:00 p.m., on November 1, 2021. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth herein are true and correct:

Jeff McGraw, #Y38458  
Pontiac Correctional Center  
700 West Lincoln Street  
P.O. Box 99  
Pontiac IL 61764

/s/ Brent S. Scott

10006540 BSCOTT;BSCOTT